

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (RCC)
) ECF Case
)

This document relates to:

BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-5738;

BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-9849;

CONTINENTAL CASUALTY CO., *et al.* v. AL QAEDA ISLAMIC ARMY, *et al.*, Case No. 04-CV-05970;

EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07279;

FEDERAL INSURANCE CO., *et al.* v. AL QAIDA, *et al.*, Case No. 03-CV-6978;

NEW YORK MARINE AND GENERAL INSURANCE CO. v. AL QAIDA, *et al.*, Case No. 04-CV-6105; and

WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07280.

**DECLARATION OF ALAN R. KABAT
IN SUPPORT OF DEFENDANTS MOHAMED ALI MUSHAYT'S
AND THE MUSHAYT FOR TRADING ESTABLISHMENT'S
CONSOLIDATED MOTION TO DISMISS**

I am an attorney licensed to practice in the District of Columbia and am admitted *pro hac vice* in this matter. I am with the law firm of Bernabei & Katz PLLC, counsel to Mohamed Ali Mushayt and the Mushayt for Trading Establishment. I submit this declaration to transmit to the Court the following documents submitted in support of Defendants' Consolidated Motion to Dismiss:

1. Exhibit 1 to defendants' motion to dismiss is a copy of the Declaration of Mohamed Ali Mushayt (March 31, 2004), and authenticated translation, with the Declaration of Bassim Alim (April 4, 2004) thereto.

2. Exhibit 2 to defendants' motion to dismiss is a copy of Process Server Network, "International," online at <http://www.processnet1.com/internat.htm> (last modified Feb. 10, 2004).

3. Exhibit 3 to defendants' motion to dismiss is a copy of Process Server Network, "Saudi Arabia," online at http://www.processnet1.com/saudi_arabia.htm (last modified Mar. 8, 2004).

I declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on September 3, 2005.

Alan R. Kabat

ALAN R. KABAT

Exhibit 1

Mohamed Ali Mushayt's
and the
Mushayt for Trading Establishment's
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL No. 1570 (RCC)

THOMAS E. BURNETT, SR., *et al.*,

Plaintiffs,

V.

C.A. No. 03 CV 9849 (RCC)

AL BARAKA INVESTMENT AND DEVELOPMENT
CORPORATION, *et al.*,

Defendants.

DECLARATION OF BASSIM ALIM

I, Bassim Alim, being duly sworn, declare and state as follows:

1. I am over 18 years of age and competent to testify to the matters set forth below of my own personal knowledge.

3. I reside in Jeddah, Saudi Arabia, and I am the Managing Partner in the Law Office of Bassim A. Alim, Esq. located at Wali Al-Ahd Street Abeer Building, Suite No. 17, P.O. Box 10361 Jeddah 21433, Saudi Arabia, Phone: +966 2 651 3321, Fax: +966 2 651 0846. The firm is a diversified practice representing a number of Saudi and foreign individuals and institutions in International Trade, Commercial Law, International Transactions, Project Finance, Negotiation, Company Law, Islamic Banking, Islamic Finance, Equipment Leasing, Construction Contracts, Government Consultations, Real Estate, and Aviation.

4. I am an attorney licensed in Saudi Arabia and have been retained by counsel for Dr. Abdullah bin Abdul Mohsen Al-Turki, Mr. Mohammed Ali Mushayt, Sheikh Hamad Al-Husaini, Sheikh Safer Al-Hawali, and Sheikh Salman Al-Oadah in the above-styled case for the purpose of verifying English translations of their Arabic-language affidavits in connection with

their respective motions to dismiss the lawsuit.


5. My educational qualifications can be summarized as follows: I received an LLM degree in 1993 from Harvard Law School, Cambridge, MA; a JD degree in 1992 from American University, Washington College of Law, Washington, D.C.; and a BA degree in 1988 from American University, School of International Service, Washington, D.C. In addition, I hold Saudi Arabian Legal Profession Practice License # 98/23 and Saudi Arabian Legal Translation License # 235.

6. I am a member of a number of law organizations, including the Arab Bar Association (ABA); the International Bar Association (IBA); the Legal Committee of the Saudi Chamber of Commerce Jeddah (Previously); Vice Chairman of the Legal Committee of the Makkah Chamber of Commerce (Previously); the National Legal Committee of the NCCI (Previously); the Arab Society for the Protection of Intellectual Property; Licensing Executives Society--Arab Countries; and Union Internationale Des Avocats (UIA) - International Association of Lawyers. In addition, I was a Fellow Associate Researcher at The Oxford Center for Islamic Studies, Oxford University, 1994-1996.

7. I have reviewed the originals and the English translations of the declarations to be filed in this case on behalf of Dr. Abdullah bin Abdul Mohsen Al-Turki, Sheikh Hamad Al-Husaini, Mr. Mohamed Ali Mushayt, Sheikh Salman Al-Oadah, and Sheikh Safer Al-Hawali. Based on the qualifications set forth in Paragraphs 5-6, *supra*, I attest that the English translations are true and accurate translations of the original Arabic documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.




Bassim Alim

Executed on the 3 day of April, 2004.



محكمة مقاطعة الولايات المتحدة - المقاطعة الجنوبية لنويويورك

قضية توماس بريّة _____ نت {

{ (المدعين)

ضد { قضية مدنية رقم (03 CV 9849)

مجموعة البركة الاستثمار والتطوير {

{ (الدفاع)

أقرار الشيخ محمد علي المشيطة لإرفاقه مع طلب إسقاط الدعوى

أَقْرَأُ أَنَا مُحَمَّدٌ عَلَى الْمَشِيطِ وَأَقُولُ مَا يَلِي:

١- أنا عمري أكبر من ١٨ سنة، ومؤهل للإدلاء بشهادتي حول الوقائع الموصوفة في هذا الإقرار.

٢- لقد أخبرني المحامي أن رقمي في القضية المذكورة أعلاه هو (D157)، وأن هذا الإقرار لدعم طلب إسقاط الدعوى المرفوعة ضدي لعدم وجود سلطة قضائية ونقص في إجراءات تبليغ الدعوى.

٣- ولدت في يناير من عام { ١٩٥٩م } في { خميس مشيط } وقد عشت طفلة عمري بالمملكة العربية السعودية وأنا مواطن سعودي.

٤- أنا تاجر ورئيس مؤسسة المشيط للتجارة (MFT)، المؤسسة تعمل في تجارة الجملة للكواني والأغراض المنزلية وما له علاقة بالمنزل في المملكة العربية السعودية. ولقد أنشئت مؤسسة المشيط في عام {١٩٧٩م} وأنا صاحبها.

٥- زرت الولايات المتحدة الأمريكية عدة مرات كزيارات شخصية، في شهر أغسطس من عام {١٩٩٦م} زرت أورلاندو، وزرت ولاية تكساس مرتين في عام {١٩٩٨م} و عام {١٩٩٩م}.

٦- لا أملك أي عقار أو حسابات بنكية ولا استثمارات عقارية أو شخصية، ولا أمارس أي عمل تجاري في الولايات المتحدة الأمريكية أو مع أي مؤسسة أمريكية.

٧- مؤسسة المشيط لا تملك أي عقار أو حسابات بنكية ولا استثمارات عقارية أو شخصية، ولا أمارس أي عمل تجاري في الولايات المتحدة الأمريكية أو مع أي مؤسسة أمريكية.

٨- لست مشترك ولا أقرأ جريدة الهيرالد تريبيون العالمية ، ولا جريدة القدس العربي والتي تعتبر على حد علمي من المطبوعات الممنوعة في المملكة العربية السعودية.

٩- لا مؤسسة المشيط ولا أنا ساندنا أي أعمال تسبب فقد أرواح بريئة، ولا أعتقد أن هناك أي مبرر لهجمات ١١ سبتمبر المأساوية. كما أنني ومؤسسة المشيط لم ندعم أي فرد أو منظمة نعلم أنها مشاركة أو لها نشاطات إرهابية، وأنا ومؤسسة المشيط نشارك حكومتنا في شجبها لجميع العمليات الإرهابية.

١٠- التعديل الثالث للدعوى في القضية، لا يوجد أي تهم موجه لي أو لمؤسسة المشيط في هذه الدعوى سوى الفقرات التسعة التي وردت عن نشاطات محمد زويدي.

زويدي عمل في مؤسسة المشيط كمدير للمبيعات من عام {١٩٩٢م} وحتى {١٩٩٨م}. وأنا ومؤسسة المشيط ليس لدينا أي علم عن نشاطات زويدي الإرهابية أو دعمه للإرهاب.

١١- ذكر في الفقرة [٣٧٦] أن زويدي " يسرب الأموال من مؤسسة مقرها في السعودية، مؤسسة المشيط للتجارة (أو "المشيط") عبر شراكة إسبانية إلى هيئات وأفراد معروفين بعلاقتهم بتنظيم القاعدة الإرهابي في أوروبا" و في الفقرة [٣٧٧] تضيف أيضاً " المشيط تلقى مساعدات وتبرعات من شركات وأشخاص آخرين في المملكة العربية السعودية الذين يسربونها إلى القاعدة عبر أسبانيا".

لا أنا ولا مؤسسة المشيط قمنا بأي مشاريع استثمارية في أسبانيا، أو قمنا بتحويل مساعدات إلى أسبانيا.

١٢- في الفقرة [٥٠٣] (والتي تشير إلى الفقرة ٥٠٢) ذكر أنني ومؤسسة المشيط من ضمن العديد من "الهيئات والأفراد" الذي لهم "رابط مباشر مع محمد عطا وخلية القاعدة في هامبورج مما يوحي بوجود شيء بين الأفراد السعوديين و الهيئات أرشدت ومولت الهجمات الإرهابية في الحادي عشر من سبتمبر. وفي الفقرة [٥٢١] نفس الدعوى بخصوص عطا هامبورج "خلية القاعدة" تكرر.

أنا ومؤسسة المشيط نرفض هذا الإدعاء، و ليس لدينا أي علم بنشاطات محمد عطا أو "خلية القاعدة" التابعة له غير ما يذكر لعامة الناس في الإعلام. و ليس لدينا أي علم بدعم هؤلاء أو أي من النشاطات الإرهابية المزعومة.

١٣- في الفقرة [٥٠٩] ذكر أن زويدي "كوّن" مؤسسة المشيط في عام {١٩٨٥م} وكان مالك لها حتى نهاية عام {١٩٩٨م} ، وكذلك مؤسسة المشيط "كانت على صلة ويسيطر عليها عدد من أعضاء الإخوان المسلمين، بما فيهم المدير الحالي وليد الزعيم".

هذه الإدعاءات باطلة ، فزويدي لم يكن سوى مدير للمبيعات في المؤسسة، كما أنني أرفض رفض تام قضية سيطرة الإخوان المسلمين على مؤسسة المشيط، كما أنني أن يكون مساعدي السابق وليد الزعيم له أي علاقة بالإخوان المسلمين.

١٤- في الفقرة [٥١٩] ذكر أن شخص غير محدد وقع "عقود مزيفة" مع مؤسسة المشيط، وأن مؤسسة المشيط وأسست بواسطة محمد غالب قلعجي زويدي من أجل تحويل أموال لعمليات القاعدة في أوروبا.

أنا ومؤسسة المشيط نرفض الإدعاء بعلمنا عن توقيع أي عقود مزيفة مع زويدي الذي لم يكن هو أو غيره مؤسس للمؤسسة. كما أن مؤسسة المشيط لم تقم بأي استثمارات في أسبانيا مع زويدي أو أعماله التجارية. ومؤسسة المشيط لم تقم أو تكن على علم بأي تعاملات بغرض تحويل أموال لدعم عمليات القاعدة في أوروبا.

١٥- في الفقرة [٥٢٠] ذكر أن مؤسسة المشيط " تسترت مادياً واقتصادياً ودعمت نبيل نبيل قسبياتي نبيل المدان بنشاطات إرهابية في اليمن". مؤسسة المشيط ليس لديها علم بالمدعو نبيل ولا نشاطاته الإرهابية. في نفس الفقرة ذكر " مؤسسة المشيط للتجارة بجدة تشترك في الإدارة والبنية التحتية والهواتف والتلكس مع شركة اسمها محمد علي سعيد مشيط، يرأسها عبد العزيز بن عبد الله موقعها أيضاً جدة ، هذه الشركتين تدير عمليات تحويل مالية لإنشاء شركات أسبانية تكون خط أمامي للدعم المادي للعمليات الإرهابية العالمية بوجه عام وعمليات القاعدة بوجه خاص."

هذه العبارة ليس لها أي معنى بالنسبة لي لأن "محمد علي سعيد مشيط" ليست شركة ولكنه ببساطة هو اسمي. أنا أرفض القول أن مؤسسة المشيط أو أنا على علم بتورط في تحويلات مالية لشركات في أسبانيا تدعم نشاطات أو أهداف إرهابية، كما أنني لا أعرف عبد العزيز بن عبد الله أو نشاطاته الإرهابية.

١٦- في الفقرة [٥٢٢] ذكر أن زويدي " أرسل مبلغ ٢٢٧٠٠٠ دولار إلى نبيل سيادي في بلجيكا من خلال مؤسسة المشيط للتجارة".

ليس لدى مؤسسة المشيط ولا لدي أي علم عن نبيل سيادي أو عن أي مساعدة له أو إلى هيئة الإغاثة العالمية.

١٧- في الفقرة [٥٢٤] ذكر أن مؤسسة المشيط وقعت "عقود" مع زويدي و أو برويكتس بروموكينس أيسو وهي منظمة تعتبر كمظلة لعمليات القاعدة في أوروبا" كما ذكر أيضاً أن هذه "العقود" عبارة عن جزء من مخطط لغسيل الأموال والدعم المتبادل لمساعدة وتحريض القاعدة والإرهاب العالمي."

أنا أرفض الإدعاء بأنني أو مؤسسة المشيط دخلنا في أي اتفاقات مع برويكتس بروموكينس أيسو، كما نرفض الإدعاء بأننا حولنا أي أموال إلى زويدي أو أي شركة أسبانية لأي سبب بما في ذلك غسيل الأموال لنشاطات إرهابية.

١٨- لا أستطيع قراءة أو كتابة أو التحدث باللغة الإنجليزية بطلاقة، وقد تم إخباري بأن إقرارى هذا سيتم ترجمته إلى اللغة الإنجليزية لغرض القضية.
أقر تحت طائلة عقوبة الحنث باليمين طبقاً لقوانين الولايات المتحدة الأمريكية بأن ما سبق حق وصحيح.

الاسم : محمد علي المشيط
[عن نفسي ونياية عن مؤسسة المشيط للتجارة بصفتي الرسمية كرئيس]

التوقيع : 

جرى التوقيع في يوم: من شهر ٣ من عام ٢٠٠٤ في المملكة العربية السعودية

This is to certify that
This is the true Signature of the Above Signed
Under Responsibility of the Contents
Bassim A. Alim, Esq.
Law Office of Bassim A. Alim

- IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

5. I have visited the United States several times on personal visits. I visited Orlando, Florida in August 1996. I visited Texas in August 1998, and again in August 1999.

6. I own no real property in the United States. I also have no bank accounts, and have no investments in the United States. I do not conduct any personal business with any businesses in the United States.

7. The MFT does not own any real property in the United States. The MFT has no bank accounts or investments in the United States, and does not conduct any business with businesses in the United States.

8. I do not subscribe to or read either the *International Herald Tribune* or the *Al Quds al Arabi*. The latter publication, to my knowledge, is banned in the Kingdom of Saudi Arabia.

9. Neither the MFT nor I have ever supported the loss of innocent life and believe that there is no justification for the tragic attacks of September 11, 2001. The MFT and I have never supported any person or organization that we have known to participate in terrorist activities. The MFT and I join our government in condemning terrorist activities.

10. The Third Amended Complaint in this case has no allegations about the MFT or myself, other than in nine paragraphs, all of which relate to allegations concerning the activities of Muhammed Zouaydi. MFT employed Mr. Zouaydi as a Sales Manager, from about 1992 to 1998. However, neither I, nor the MFT, have any knowledge of any activities of Mr. Zouaydi that were terrorist activities, or knowingly supported terrorism.

11. In Paragraph 376, it is stated that Mr. Zouaydi "funneled money from the Saudi-based company, Mushayt for Trading Establishment (or 'Mushayt') through Spanish corporations to entities and individuals known to be associated with the al Qaeda terrorist

organization in Europe.” In Paragraph 377, it is further stated that “Mushayt received funds and donations from other companies and individuals in Saudi Arabia that were funneled to al Qaeda through Spain.” Neither the MFT nor I ever made any investments in Spain, or transferred funds to Spain.

12. In Paragraph 503 (which refers to Paragraph 502), it is stated that the MFT and I are among several “entities and individuals” that are “directly link[ed] . . . to Mohammed Atta’s Hamburg al Qaeda cell, [which] shows a proximate cause between Saudi Arabian individual’s and entities’ conduct and the funding of the terrorist attacks of September 11, 2001.” In Paragraph 521, the same general allegation regarding Atta and the Hamburg “al Qaeda cell” is repeated. I deny that the MFT or I had any knowledge of the activities of Mohammed Atta or his “al Qaeda cell,” other than what is now generally known through the media, or that the MFT or I knowingly supported these or any other alleged terrorist activities.

13. In Paragraph 509, it is stated that Mr. Zouaydi “formed” MFT in 1985 “and owned it at least until the end of 1998.” It is also stated that MFT “was controlled at all times relevant by members of the Muslim Brotherhood, including current General Manager, Walid al Zaim.” These allegations are false, as Mr. Zouaydi was merely a Sales Manager of MFT, from 1992 to 1999, and was neither the founder nor the owner. I am the founder and owner of MFT. I deny that MFT was or is controlled by the Muslim Brotherhood. I further deny that Walid Al Zaim, my previous assistant, has any involvement with the Muslim Brotherhood.

14. In Paragraph 519 it is stated that someone unspecified signed “false contracts” with MFT, and that MFT “was founded by Muhammed Galbe Kalaje Zouaydi in order to transfer funds for al Qaeda operations in Europe.” I deny that MFT knowingly signed false contracts with Mr. Zouaydi, who was not the founder of MFT, or anyone else. MFT made no investments

in Spain with Mr. Zouaydi or his businesses. MFT never knowingly engaged in any transactions for the purpose of “transfer [ring] funds for al Qaeda operations in Europe.”

15. In Paragraph 520, it is stated that MFT “sheltered and materially and economically supported Nabil Nanakli Kosaibati Nabil, who was convicted for terrorist activities in Yemen.” The MFT has no knowledge of Mr. Nabil or of his terrorist activities. Paragraph 520 also states that “Mushayt for Trading Establishment in Jeddah shares the same administrative infrastructure, phones, telexes, with a company named Mohammed Ali Sayeed Mushayt, chaired by Abdull Aziz bin Abdullah, and also located in Jeddah. Those two companies operated money transfers to develop Spanish companies as fronts for the financing of international terrorism generally and al Qaeda specifically.” This statement does not make any sense to me, as “Mohammed Ali Sayeed Mushayt” is not a “company,” but is simply my name. I deny that MFT, or I, knowingly engaged in money transfers to Spanish companies for terrorist purposes or to support terrorist activities. I further deny any knowledge of Abdull Aziz bin Abdullah or his activities.

16. In Paragraph 522, it is stated that Mr. Zouaydi “sent \$227,000 dollars to Nabil Sayadi in Belgium through Mushayt for Trading Establishment.” Neither MFT nor I know anything about Nabil Sayadi, or make any contributions to him or the Global Relief Foundation.

17. In Paragraph 524, it is stated that MFT signed “contracts” with Mr. Zouaydi and/or the Proyectos y Promociones Iso, an “umbrella organization for Al Qaeda operations in Europe.” It is further stated that these “contracts” “were part of a money laundering scheme to mutually support, aid and abet al Qaeda and international terrorism.” I deny that MFT or I entered into any contracts with Proyectos y Promociones Iso. I further deny that MFT or I transferred any money to Mr. Zouaydi or any Spanish company for any purpose, including

“money laundering” for terrorist activities.

18. I cannot read, write, or speak English fluently. I understand that this declaration will be translated into English for purposes of this case.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Mohamed Ali Mushayt
On his own behalf, and in his official capacity as the
President of the Mushayt for Trading Establishment

Executed on the 31 day of March, 2004.

Exhibit 2

Mohamed Ali Mushayt's
and the
Mushayt for Trading Establishment's
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)



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- Lawsuit **search** on defendant
- **Embassy**/Consulate support in any nation
- **News** search on any defendant

- Surveillance/Stake-out/**investigations**
- Any other legal support assignment you may have

Specializing in International Service of Process



About International Service of Process

There are two general methods of service abroad:

Formal Methods:

The "formal method" of service is the generally recommended method of service, particularly in countries that are signatories to an international treaty, such as the *Hague Service Convention*. This method is needed if it is anticipated that enforcement of judgment will be required.

The *Hague Service Convention* set forth the international rules related to service of process outside the originating country. Each nation that belongs to the *Hague Service Convention* agrees to abide by these international rules.

Letters Rogatory is the formal method to be used in countries that are not signers of the Hague Service Convention. In addition, the *Inter-American Convention on Letters Rogatory* controls the same issues between countries in North and South America. *Letters Rogatory* is also used when taking the deposition of a person in another jurisdiction.

The timeframe for service pursuant to formal methods can range from 1 to 5 months since proper procedures and/or diplomatic channels must be followed (typical turnaround time in most nations is 2-3 months). Costs are significantly *lower* than in informal service in most countries.

Generally, we recommend the formal method of service to insure a valid judgment.

No matter which method you choose, **we handle the paperwork and logistics in completing the service** in a timely and efficient manner. **We do everything** from preparing the letter of transmittal to the translation of your filed documents, as required.

Informal Methods:

Informal methods of service are available in most areas of the world where service by a non-attorney or private process server are . In general, if the country is not a signatory of an international treaty, service may be made by informal methods (similar to service in the United States). However, some countries such as Germany, Japan, Korea, China, Switzerland and Italy do not allow service by private process server and impose serious civil and criminal sanctions on those who violate their national sovereignty.

The advantage to utilizing informal service, in nations where it is available, is often the timeframe for completing service.

Call us and we will fax you an up-dated information sheet on the various available methods of service and our fees.



Call (800)417-7623 or 800-4-1-PROCESS Fax: (818)772-4798 or e-mail

We routinely serve legal documents throughout the world. As a matter of fact, we've been doing it for the past 25 years. The process is simple since we do all the legwork and follow-up. Service does, however, generally take longer than in the United States due to varying customs and practices in other countries.

We also welcome documents from all countries for service in the United States and Canada.....or anywhere in the world! Our network of experienced and efficient Process Servers will complete your assignment in a timely manner.

Oh yes, you won't find a lower rate!

Note: These descriptions of service options are presented in general terms. **We will be pleased to provide specific information regarding service in a particular country.**

Translation Services:

We offer translation in all foreign languages - **Call us for discounted rate.**

Don't forget: We can serve anyone. . .anywhere in the world. . . and just around the corner!

Call us at (800)417-7623 or

Click for Specific Country

¹ Lowest rate of any top 10 international service company. Guaranteed service means we will serve the documents at the address provided, if service is legally possible. Dated documents may require a re-set of the court date if unable to serve in time, in which case there will not be an additional charge. Additional charge will apply for additional addresses. In rare cases, some countries may impose additional fees that have not been announced prior to service. Such fees will be the responsibility of the attorney requesting service.



E-mail Us





Phone: (800)4-1-PROCESS or (800)417-7623 or (818)772-4795

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Mailing address: 10010 Canoga Avenue #B6, Chatsworth, CA 91311-0959

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Exhibit 3

Mohamed Ali Mushayt's
and the
Mushayt for Trading Establishment's
Consolidated Motion to Dismiss

03 MDL No. 1570 (RCC)



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Saudi Arabia

Process Service Network is one of a few firms that specializes in international service of process and offers competitive rates on foreign services. Here is a summary of the methods available for service outside the United States and a specific proposal for the requested nation.

Our job is to cut through the bureaucracy and red tape to get the service completed with as little delay as possible. Since we have been in business for 26 years, we have developed close working relationships with key individuals in most countries throughout the world. The founder and President of *Process Service Network* was a Political Science major in college with a focus on international relations and is actively involved in a worldwide organization through which he has developed business and personal relationships in over 80 nations worldwide.

FORMAL SERVICE:

SAUDI ARABIA is not a signer of the Hague Service Convention. There is currently no formal method of service since Saudi Arabia does not honor Letters Rogatory.

INFORMAL SERVICE:

Private process servers may serve documents in most countries, whether a signer of *The Hague Service Convention*, or not. Service is normally handled in a manner similar to methods used in the United States, although completion of the service usually takes longer. Customs and traditions in other countries tend to lead to a slower pace and less rigid work habits, particularly in the Arab nations. Service sometimes may take several months but informal service is generally much faster than formal methods. Most process servers who we employ are off-duty police officers or other government officials who are able to, in certain cases, exercise their official capacity to complete the service. Since we pay the process server a bonus (at our own expense) for prompt

service, the normal delays are usually reduced.

It must be advised, however, that corruption is sometimes evident in that country and that it is common for the process server to contrive an excuse for delays and/or additional costs. We will cover any additional costs but delays may be unavoidable.

Further, service in Saudi Arabia has been complicated in the recent period due to tensions in the Arab world. We do all that is possible to insure a timely completion of the service.

Advantage: Time and cost.

Disadvantage: Judgment may not be enforceable in the country where assets are located.

TRANSLATIONS:

Some countries require the documents to be translated into the official language of the nation where they are to be served. The U.S. State Department *recommends* translation, but it is not a requirement unless the formal method is used. It is possible, although rare, that a demurer could be filed based upon lack of understanding by the defendant as to the nature and meaning of untranslated documents. It is important that the Defendant understand the nature of the documents.

COSTS:

Service of process:

Informal = \$1175.00 All fees are per defendant/address

Translation: \$0.38 per word (proper nouns not translated)

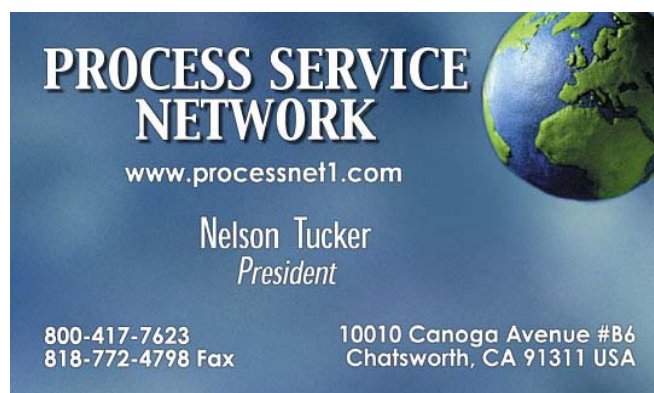
DECLARATIONS:

We provide any necessary formal Declarations, under penalty of perjury, that the Court may require as to the progress and status of the service (at no additional cost).

WARNING: Beware of companies that quote suspiciously low rates. They often come back later with an excuse for an additional charge. Our rates are firm for one address quoted. Other companies are actually brokerage firms or website developers, not process service agencies, who farm out assignments to secondary companies that are not knowledgeable or qualified on international service of process.

DISCLAIMER:

The information contained herein is provided for general information only and may not be accurate at the time of service in a particular case or country. Questions involving specific services should be directed to our office. Care should be exercised in choosing the method of service (formal/informal) if eventual enforcement of a U.S. judgment is anticipated in the country where the documents are to be served. No legal advice is intended in the statements contained herein. Assignments for international service of process are accepted on the basis that the assigning law firm has researched all applicable laws. Process Service Network and its agents assume no liability for its actions in the course of any phase of the service of process assignment.



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